

REMARKS

The objections to the drawings are noted. Applicant has amended the specification herein and proposes corrections to the drawings as illustrated in red on the enclosed copies of Figure 1 in order to obviate the bases for objections to the drawings. No new matter is introduced by these corrections.

Regarding objection to the legend number 111 illustrated in Fig. 2A, Applicant points out that this legend number is described in the specification, for example, at page 10, penultimate line.

Rejected claims 1-11 have been cancelled.

Applicant is presenting herewith new claims 12 through 25 which are submitted to be fairly based upon the original description in the priority application Ser. No. 09/102,723 filed on June 22, 1998.

Specifically, these claims now variously recite the apparatus and method for performing surgical procedures on branch vessels of a target vessel, and now specifically recite “a retractor disposed within a lumen of the cannula to extend beyond the distal end of the cannula for engaging a vessel in response to movement of the retractor within the lumen; and a surgical tool supported in a lumen of the elongated cannula and extending beyond the distal end thereof for performing a surgical procedure on a tissue structure engaged by the retractor”, or “engaging the tissue structure with the retractor for selective manipulation thereof; and engaging the tissue structure with the surgical tool to alter the tissue structure”.

In addition, the dependent claims are further restricted by various recitations of apparatus and method, including “the retractor and the surgical tool are relatively movable near the distal end of the cannula to facilitate severing a portion of a tissue structure engaged by the retractor”, or “the arm includes a distal portion thereof that is laterally flexible and resiliently biased away from axial alignment with the elongated cannula”, or “the retractor engages the tissue structure including a target vessel having a branch vessel thereon; and the surgical tool severs the branch vessel near the target vessel engaged by the retractor”, or “engaging the tissue structure with the retractor and engaging the tissue structure with the surgical tool are performed under endoscopic visualization within a field of view near the distal end of the cannula.”

Support for these claimed aspects of the invention is contained in the present specification, for example, at page 12, line 1 to page 13, line 5, and in Figures 3A-3C.

These aspects of the claimed invention greatly facilitate manipulation of a tissue structure, for example, a saphenous vein and associated branch vessels at a remote surgical site within the leg of a patient.

These aspects of the claimed invention are not disclosed or fairly suggested by the cited references considered alone or in combination. Specifically, Chin ‘353 derives from the same priority application as does the subject application, and none of the other cited references are understood to disclose or fairly suggest the

claimed invention. It is therefore respectfully submitted that claims 12-25 are now patentably distinguishable over the cited art.

Favorable action is solicited.

Respectfully submitted,
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